



## Legislation Text

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**File #: 031099, Version: 0**

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031099  
ORIGINAL

### THE CHAIR

An ordinance relating to fees for temporary occupancy or use of public ways.

81-102-2 rc

81-102-3 rc

82-102-4 rc

81-102-5 rc

This ordinance makes the following changes to the fees for temporary occupancy or use of public ways in conjunction with construction on abutting property:

1. The provisions allowing for a 50% or 90% reduction in fees by Common Council resolution when certain criteria are met are eliminated.
2. Fees for temporary occupancy of a sidewalk area are halved when a portion of the sidewalk will remain open to pedestrian traffic and be at least 4 feet wide, or when a temporary sidewalk is provided on the same side of the street.
3. A new fee schedule for temporary occupancy of streets (traffic lanes, parking lanes and alleys) is created. Fees will be based on the functional classification of the street - arterial, collector or local. Fees for temporary occupancy of arterial streets will be increased slightly from current levels (3 to 8 percent). Fees for temporary occupancy of collector streets will be 2/3 the fees for arterial streets. Fees for temporary occupancy of local streets and alleys will be 1/3 the fees for arterial streets.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 81-102-2 to 5 of the code is repealed and recreated to read:

### **81-102. Public Ways: Permits for Temporary Occupancy or Use as Public Ways.**

**2. CALCULATION OF FEES.** The fees charged in subs. 3 to 5 are charged for each area that is occupied. The fees shall be charged for every 30 feet of street front or fractional part thereof that is to be temporarily occupied or used. Fees for occupancy of parking lanes and traffic lanes are based on the classification of the street, as indicated on the street classification map maintained by the city engineer.

**3. SIDEWALKS.** a. For the temporary occupancy of all of a sidewalk area or occupancy that results in a sidewalk that is less than 4 feet wide at any point, where no temporary walkway is provided on the same side of the street:

a-1. The fee for a period of 7 days or less shall be \$75.

a-2. The fee for a period of 8 to 30 days shall be \$120.

a-3. The fee for each succeeding month or portion thereof beyond 30 days shall be \$120.

b. For the temporary occupancy of a portion of a sidewalk area, where the portion remaining open to pedestrian traffic is at least 4 feet wide at all points or where a temporary walkway is provided on the same side of the street:

b-1. The fee for a period of 7 days or less shall be \$37.50.

b-2. The fee for a period of 8 to 30 days shall be \$60.

b-3. The fee for each succeeding month or portion thereof beyond 30 days shall be \$60.

**4. PARKING LANES.** For the temporary occupancy of all or a portion of a parking lane, where the parking lane is not available for public use:

a. Arterial Street. a-1. The fee for a period of 7 days or less shall be \$90.

a-2. The fee for a period of 8 to 30 days shall be \$150.

a-3. The fee for each succeeding month or portion thereof beyond 30 days shall be \$150.

b. Collector Street. b-1. The fee for a period of 7 days or less shall be \$60.

b-2. The fee for a period of 8 to 30 days shall be \$100.

b-3. The fee for each succeeding month or portion thereof beyond 30 days shall be \$100.

c. Local Street. c-1. The fee for a period of 7 days or less shall be \$30.

c-2. The fee for a period of 8 to 30 days shall be \$50.

c-3. The fee for each succeeding month or portion thereof beyond 30 days shall be \$50.

**5. TRAFFIC LANES AND ALLEYS.** For the temporary occupancy of all or a portion of a traffic lane or alley, where the traffic lane or alley is not available for public use:

a. Arterial Street. a-1. The fee for a period of 7 days or less shall be \$105.

a-2. The fee for a period of 8 to 30 days shall be \$195.

a-3. The fee for each succeeding month or portion thereof beyond 30 days shall be \$195.

b. Collector Street. b-1. The fee for a period of 7 days or less shall be \$70.

b-2. The fee for a period of 8 to 30 days shall be \$130.

b-3. The fee for each succeeding month or portion thereof beyond 30 days shall be \$130.

c. Local Street or Alley. c-1. The fee for a period of 7 days or less shall be \$35.

c-2. The fee for a period of 8 to 30 days shall be \$65.

c-3. The fee for each succeeding month or portion thereof beyond 30 days shall be \$65.

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau

Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE

IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney

Date: \_\_\_\_\_

Department of Public Works

LRB03522-1

JDO

11/17/03